

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:)	
)	
Patrick Bennett)	
)	
)	CHAPTER 13 PROCEEDINGS
)	CASE NO.: 17-31239
Debtor)	
<hr style="width: 40%; margin-left: 0;"/>)	

**MOTION TO EXTEND THE AUTOMATIC STAY BEYOND
THIRTY (30) DAYS NUNC PRO TUNC & FOR COMPENSATION**

Now comes Debtor, Patrick Bennett, by and through his attorney who seeks to extend the automatic stay for the duration of his plan and shows the following:

1. Debtor initially filed a Chapter 13 proceeding on August 3, 2016 in the Western District of North Carolina.
2. His case was subsequently dismissed by the Chapter 13 Trustee on April 7, 2017, because of his inability to make his plan payments due to a delay of business income.
3. Debtor decided to re-file a second Chapter 13 bankruptcy after the dismissal because he believes that he can now propose a feasible plan.
4. Using the undersigned counsel, Debtor filed a new Chapter 13 proceeding in good faith on July 26, 2017.
5. Debtor believes that this new plan is feasible as he can afford to make the proposed monthly payments.
6. Since Debtor's current filing was within 1 year of his previous filing being dismissed, 11 U.S.C. § 362(c)(3)(A) operates to terminate his automatic stay within 30 days of her filing date.
7. Debtor seeks to extend the automatic stay beyond the thirty (30) days in order to allow him to make his best effort to pay her creditors.
8. The attorney for Debtor seeks a non-base fee of \$350.00 for this matter.

BASED ON THE FOREGOING Debtor seeks an order extending the automatic stay beyond thirty (30) days for the balance of her case. The attorney for Debtor seeks a non-base fee of \$350.00 for this matter.

This the 29th day of August, 2017.

/s/Jeanne Ann Pennebaker
Jeanne Ann Pennebaker
Attorney for Debtor
NC Bar 39174
10130 Perimeter Parkway, Suite 200
Charlotte, NC 28216
(704) 602-5233

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing MOTION TO EXTEND THE AUTOMATIC STAY BEYOND THIRTY (30) DAYS NUNC PRO TUNC, FOR COMPENSATION AND NOTICE OF OPPORTUNITY FOR HEARING were served upon the following, and any interested creditor by personal delivery or electronic service through the US Bankruptcy Court:

Attached ECF Service List

Today is August 29, 2017.

/s/Jeanne Ann Pennebaker
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Attorney for Debtor
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Label Matrix for local noticing
0419-3
Case 17-31239
Western District of North Carolina
Charlotte
Tue Aug 29 13:03:33 EDT 2017

United Community
227 West Trade Street
Carillon Bldg, Suite 1700
Charlotte, NC 28202-1675

Charlotte Division
401 West Trade Street
Charlotte, NC 28202-1633

Appurgent Care
11821 Rock Landing Dr
Newport News, VA 23606-4207

Brock & Scott, PLLC
5431 Oleander Dr # 200
Wilmington, NC 28403-5857

Charlotte Pediatric Dentistry
1110 Navaho Dr Ste 501
Raleigh, NC 27609-7369

Chase
PO Box 15298
Wilmington, DE 19850-5298

Credit Control Corp.
11821 Rock Landing Dr
Newport News, VA 23606-4207

Ford Motor Credit
PO Box 542000
Omaha, NE 68154-8000

Internal Revenue Service
P.O. Box 7317
Philadelphia, PA 19101-7317

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Kross/Lieberman & Stone
991 Aviation Pkwy Ste 30
Morrisville, NC 27560-8564

Medical
4135 Southstream Blvd # 400
Charlotte, NC 28217-4636

Medical
PO Box 1629
Maryland Heights, MO 63043-0629

Mid-Atlantic Emergency Medical
2651 Warrenville Rd Ste 500
Downers Grove, IL 60515-5559

North Carolina Department of Revenue
Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

Optimum Outcomes
PO Box 58015
Raleigh, NC 27658-8015

PMAB
4135 Southstream Blvd # 400
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SPS
PO Box 65250
Salt Lake City, UT 84165-0250

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Charlotte, NC 28210-2100

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(u)U.S. Bank National Association

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